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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill were introduced in the Rajya Sabha on the 3rd May, 1974:—

I

Bill No. VIII of 1974

A Bill further to amend the Indian Post Office Act, 1898.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Indian Post Office (Amendment) Act, 1974.

6 of 1898.

Amendment of section 9.

2. For sub-section (2) of section 9 of the Indian Post Office Act, 1898, the following sub-section shall be substituted, namely:—

"(2) For the purpose of such registration, every publication, consisting wholly or in great part of political or other news, or of articles relating thereto or to other current topics, without advertisements or with advertisements covering a space not exceeding twenty-five per cent. of the total print area of every issue, shall be deemed a newspaper, subject to the following conditions, namely:—

(*a*) that it is published in numbers at intervals of not more than thirty-one days; and

(*b*) that it has a *bona fide* list of subscribers."

STATEMENT OF OBJECTS AND REASONS

The present newsprint crisis which will continue for quite a few years has severely affected the readers. More than twenty years back the Press Commission had observed that in the interests of reading public some restrictions on the quantum of advertisements is necessary. Government facilities, therefore, should be made dependent on the number of space covered by advertisements in a newspaper.

Hence this Bill.

VITHAL GADGIL

Bill No. V of 1974

A Bill further to amend the Press and Registration of Books Act, 1867

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short Title.

1. This Act may be called the Press and Registration of Books (Amendment) Act, 1974.

Amendment of section 1.

2. In sub-section (*1*) of section 1 of the Press and Registration of 25 of 1867 Books Act, 1867, for the existing definition of 'newspaper', the following shall be substituted, namely:—

'"newspaper" means any printed periodical work containing public news or comments on public news without advertisements or with advertisements covering a space not exceeding twenty-five per cent of the total printed area per issue'.

STATEMENT OF OBJECTS AND REASONS

The newsprint crisis which is likely to continue for the next few years has affected the economies of a number of newspapers, particularly small newspapers. It has also reduced the reading material available to the public. The only way to make more reading matter available to the public is to discourage the total number of advertisements printed in a newspaper. The Press Commission had also made similar recommendations.

Hence this Bill.

VITHAL GADGIL.

III

Bill No. XI of 1974

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1974. Short title.

2. In article 343 of the Constitution,— Amendment of article 343.

(*a*) in clause (*1*), for the words "Hindi in Devanagari script" the word "English" shall be substituted; and

(*b*) clauses (*2*) and (*3*) shall be omitted.

3. In article 344 of the Constitution,— Amendment of article 344.

(*i*) in clause (*2*),—

(*a*) sub-clauses (*a*) and (*b*) shall be omitted;

(*b*) in sub-clause (*c*) for the word "language" the word "languages" shall be substituted;

(*c*) sub-clause (*d*) shall be omitted;

(*ii*) clause (*3*) shall be omitted;

(*iii*) in clause (*6*) for the word "Notwithstanding" the words "Without prejudice to" shall be substituted.

Amendment of article 345.

4. In article 345 of the Constitution, the words "or Hindi" shall be omitted.

Amendment of article 346.

5. In the proviso to article 346 of the Constitution for the words "the Hindi language" the words "any language specified in the Eighth Schedule" shall be substituted.

Amendment of article 348.

6. In article 348 of the Constitution,—

(*a*) in clause (*1*) for the words "Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides" the words "Until Parliament by law otherwise provides, with the prior approval of the Chief Justice of India or the Chief Justice of the High Court, as the case may be—" shall be substituted.

(*b*) clause (*2*) shall be omitted.

Omission of article 349.

7. Article 349 of the Constitution shall be omitted.

Substitution of new article for article 351.

8. For article 351 of the Constitution, the following article shall be substituted, namely:—

Directive for development of languages specified in the Eighth Schedule.

"351. It shall be the duty of the Union to preserve, promote and to secure the enrichment of every language specified in the Eighth Schedule and to ensure that no particular language referred to in the said Schedule is given an official patronage at the cost of any other language."

Amendment of the Eighth Schedule to the Constitution.

9. In the Eighth Schedule to the Constitution,—

(*a*) for the brackets, words and figures "[Articles 344 (*1*) and 351]", the brackets, words and figures "[Articles 344(1) 346 and 351]" shall be substituted;

(*b*) entries 3 to 15 shall be re-numbered as entries 4 to 16 respectively, and

(*c*) before entry "4" as so re-numbered, the entry "3. English" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The conferment of the status of official language of the Union on Hindi, which is a purely regional language and less developed than any other language mentioned in the Eighth Schedule to the Constitution, has resulted in great injustice to the non-Hindi speaking people of the country. The granting of this status gives an undue advantage in perpetuity to the Hindi-speaking citizens of the country over the non-Hindi-speaking citizens in the various fields of education and competitive examinations. It also puts the people, whose mother tongue is Hindi, in an advantageous position *vis-a-vis* others in employment opportunities. This recognition of Hindi as an official language has created unnecessary and avoidable irritants between the two sections of the people.

Language should be an unifying force and not a divisive one. To foster unity and integration of the country and also for the advancement of technical and scientific knowledge in the country, it is essential that English should be made the official language of the country.

Hence this amending Bill.

T. K. SRINIVASAN.

IV

Bill No. VII of 1974

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Constitution (Amendment) Act, 1974.

(2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of the Seventh Schedule

2. In the Seventh Schedule to the Constitution,—

(*a*) in the Union List, for entry 27, the following entry shall be substituted, namely:—

"27. All ports, including their delimitation, and the constitution and powers of port authorities therein.";

(*b*) in the Concurrent List, entry 31 shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Development of minor and intermediate ports has been neglected and they have not received the attention they deserved. It is a national problem. Piqued at this neglect, the Estimates Committee as far back as in 1957 recommended that the question of transferring the subject of minor ports from the Concurrent List to the Union List should be carefully examined. Out of a total expenditure of Rs. 315 Crores allocated to the development of ports in the Fourth Five Year Plan, the share of minor ports was only Rs. 35 crores. This massive concentration on the development of major ports to the exclusion of intermediate and minor ports has led to serious regional imbalances in the establishment and growth of industries, created bottle-necks in the transport system and has failed to provide growth-incentive to other coastal regions and their hinterlands. An amendment in the Constitution is, therefore, urgently required in order to give effect to the recommendation of the Estimates Committee.

Hence this Bill.

OMPRAKASH TYAGI.

NEW DELHI;
17th December, 1973.

FINANCIAL MEMORANDUM

The Bill provides for the transfer to minor ports from the Concurrent List to the Union List to enable the Centre to focus greater attention to the development of minor ports. Out of the total expenditure of Rs. 315 crores allocated for the development of ports, the share of minor ports is only 35 crores. Since the subject matter will come under the Central Government, the sum of Rs. 35 crores is too meagre and may be raised to 55 crores for the development of minor ports in the Fourth Five Year Plan. A recurring expenditure of Rs. 2 to 5 crores will also be incurred on account of administrative expenses etc.

V

Bill No. VI of 1974

A Bill further to amend the Hindu Succession Act, 1956.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Hindu Succession (Amendment) Act, 1974.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

30 of 1956

Amendment of section 24.

2. After section 24 of the Hindu Succession Act, 1956, the following section shall be inserted, namely:—

Property inherited by a widower or a widow to pass to the next heirs of deceased if he or she remarries or ceases to be a Hindu by conversion to another religion.

"24-A. Where after the commencement of this Act, a Hindu widower or widow remarries or has ceased or ceases to be a Hindu by conversion to another religion, he or she shall divest himself or herself of the estate inherited from his or her spouse, and it shall pass to the next heirs of the deceased spouse as if he or she had died."

STATEMENT OF OBJECTS AND REASONS

Under the Hindu Succession Act, 1956, a widower or a widow of a Hindu dying intestate, inherits simultaneously with sons, daughters and other heirs specified in class I of the Schedule thereof and takes the share absolutely. Remarriage or conversion of a Hindu widower or widow to any other religion has not been considered, under the Act, as grounds for divesting him or her of the property inherited from his or her spouse. As certain emotional sentiments are attached to such property, it would not be proper that this property should pass on to a family other than the family of the deceased person on the remarriage or conversion to another religion of the surviving spouse. The amendment seeks to remove this lacuna in the Hindu Succession Act.

OMPRAKASH TYAGI.

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